

The Board of Supervisors of Shelby County, Iowa, met pursuant to law and rules of said board in regular session at 9:00 a.m. in the Supervisors Chambers of the Shelby County Courthouse with the following members present: Roger Schmitz, Chairman; James Burmeister, Vice-Chairman; Delbert Hull; and Marsha J. Carter, Clerk.

The Chair asked that any Conflict of Interest be stated concerning any item on the agenda. None were stated.

It was moved by Burmeister, seconded by Hull, to approve the agenda. AYES: Schmitz, Burmeister, Hull NAYES: None

It was moved by Hull, seconded by Burmeister, to approve the minutes of September 18, 2012, as presented. AYES: Schmitz, Burmeister, Hull NAYES: None

It was moved by Burmeister, seconded by Hull, to approve the Claims of September 30, 2012, and place the listing on file in the Auditor's Office. AYES: Schmitz, Burmeister, Hull NAYES: None

Dawn Cundiff, Director, and other members of the Shelby County Chamber, members of the Tourism Committee, and the Hotel/Motel Tax Committee appeared before the Board to discuss the procedure in place for disbursing the Hotel/Motel Tax collected in the Unincorporated Area of the County. Currently, the Iowa Department of Revenue returns the collected Tax to the County quarterly. The County then turns the money over to the Shelby County Chamber's Hotel/Motel Tax Committee to be spent on Tourism. The City of Harlan also forwards their Hotel/Motel Tax to this Committee. The opinion of the group was that this procedure was, and still is, the best way to handle the disbursement of these funds for Tourism projects throughout Shelby County. It was moved by Burmeister to continue with the current system. The motion died for lack of second. Chairman Schmitz stated other options are being discussed along with the current system and that this issue will be on the next agenda.

It was moved by Hull, seconded by Schmitz, to approve the following resolution:

RESOLUTION NO. 2012-18

A RESOLUTION OF THE SHELBY COUNTY BOARD OF SUPERVISORS
APPROVING THE APPLICATION TO THE IOWA ECONOMIC DEVELOPMENT
AUTHORITY REQUESTING CERTIFICATION OF AN ENTERPRISE ZONE IN
SHELBY COUNTY

WHEREAS, Shelby County, Iowa, is an eligible "Enterprise Zone" county pursuant to 2007 Iowa Code Sections 15E.191 - 15E.196, (the "Act") and;

WHEREAS, Shelby County has successfully implemented tenets of the Iowa Enterprise Zone program, and;

WHEREAS, the Iowa Enterprise Zone program has proven of great benefit to businesses, individuals and citizens of Shelby County, Iowa, and;

WHEREAS, the Act requires a county to approve, by resolution, the establishment of an Enterprise Zone and the submission of an Application of Enterprise Zone Certification to the Iowa Economic Development Authority; and;

WHEREAS, the Shelby County Board of Supervisors does approve submission of an application to certify Harlan EZ-40; and;

NOW, THEREFORE, BE IT RESOLVED, that the Shelby County Board of Supervisors requests the following actions of the Iowa Economic Development Authority:

1. That the 3.4 acres identified legally as "Part of Out lot 4 of Harlan Building Corporation's First Industrial Park in the City of Harlan, Shelby County, Iowa" be certified as Harlan EZ-40.
2. That the Iowa Economic Development Authority considers this petition at its next regularly scheduled meeting.

PASSED AND ADOPTED THIS 2nd DAY OF OCTOBER 2012.

AYES: Schmitz, Burmeister, Hull NAYES: None

It was moved by Hull, seconded by Burmeister, to approve the maintenance contract with Fulton Communication for the Mitel Telephone System for the Sheriff and Community Services at a total cost of \$7996 for four years, to be divided 1/3 for EMA, 1/3 for the Sheriff, and 1/3 for Community Services. AYES: Schmitz, Burmeister, Hull
NAYES: None

It was moved by Burmeister, seconded by Hull, to appoint Charles Trailer to the Board of Adjustment to fill the unexpired term of Walt Staiert, term expiring 12-31-2015. AYES: Schmitz, Burmeister, Hull NAYES: None

Dan Ahart, County Engineer, was available to update the Board on activities of the county road crews and the status of current maintenance and construction projects.

It was moved by Burmeister, seconded by Hull, to approve and authorize the Chairman to sign the Iowa Department of Transportation Title VI Non-Discrimination Agreement and to designate the County Engineer to be the Title VI Coordinator. AYES: Schmitz, Burmeister, Hull NAYES: None

There being no further business appearing, the Chairman declared the meeting adjourned at 10:48 a.m.

Roger Schmitz, Chairman

ATTEST: _____
Marsha J. Carter
Clerk to the Board of Supervisors

NOTE: These minutes are as recorded by the Clerk to the Board of Supervisors and are subject to Board approval at the next regular meeting.